

**COPY OF DECLARATION FILED DECEMBER 18,
2001 AND PTO DATE STAMPED FILING RECEIPT**

RULE 63 (37 C.F.R. 1.63)

DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration Submitted with Initial Filing or Declaration Submitted after Initial Filing (surcharge 37 CFR 1.16 (e) required)

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED

NOVEL RECOMBINANT ANTIBODY, AMINO ACID SEQUENCES OF ITS, the specification of which is:

attached hereto COMPLEMENTARITY DETERMINING REGIONS AND GENES ENCODING THE SAME

OR

was filed on (MM/DD/YYYY) 4/18/2001 As United States Application Number (Attorney Docket No. _____) or PCT International Application No. PCT/JPO1/03308 and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 including for continuation-in-part application, material information which becomes available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international Application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventors certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

<u>PRIOR FOREIGN APPLICATION(S)</u>			<u>Priority Not Claimed</u>	<u>Certified Copy Attached?</u>	
<u>Number</u>	<u>Country</u>	<u>Foreign Filing Date (MM/DD/YYYY)</u>		<u>Yes</u>	<u>No</u>
117394/2000	Japan	4/19/2000	[]	[]	[X]

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional Application(s) listed below.

<u>PRIOR U.S. PROVISIONAL(S)</u>	<u>Filing Date (MM/DD/YYYY)</u>
<u>Application No. (series code/serial no.)</u>	<u>Filing Date (MM/DD/YYYY)</u>

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the registered practitioners represented by Customer No.: 20736 to prosecute this application and transact all business in the U.S. Patent and Trademark Office in connection therewith. Direct all correspondence to **Manelli Denison & Selter PLLC** at Customer No.: 20736.

1. INVENTOR'S SIGNATURE: <u>Yoshiki Fukuda</u>	Date <u>December 14, 2001</u>
Inventor's Name (typed) <u>Yoshiaki</u>	Family Name <u>FUKUDA</u>
First <u>F</u>	Middle Initial <u></u>
Residence (City) <u>Osaka, Japan</u>	(State) <u></u>
Post Office Address (Include Zip Code) <u>18-7-202, Inaba-cho, Ibaraki-shi, Osaka 567-0827</u>	Japan
2. INVENTOR'S SIGNATURE: <u>Kazuhiko Nagahira</u>	Date <u>December 14, 2001</u>
Inventor's Name (typed) <u>Kazuhiko</u>	Family Name <u>NAGAHIRA</u>
First <u>K</u>	Middle Initial <u></u>
Residence (City) <u>Kyoto, Japan</u>	(State) <u></u>
Post Office Address (Include Zip Code) <u>1-19-6, Takino-cho, Nagaokakyo-shi, Kyoto 617-0817</u>	Japan
3. INVENTOR'S SIGNATURE: <u>Toshihiro Nakani</u>	Date <u>December 14, 2001</u>
Inventor's Name (typed) <u>Toshihiro</u>	Family Name <u>NAKANISHI</u>
First <u>T</u>	Middle Initial <u></u>
Residence (City) <u>Osaka, Japan</u>	(State) <u></u>
Post Office Address (Include Zip Code) <u>11-18, Nakatsu-cho, Ibaraki-shi, Osaka 567-0824</u>	Japan

Additional inventors are being named on the _____ supplemental additional inventor sheet(s) attached hereto.

MDS Jan 2001

RECORDATION FORM COVER SHEET
PATENT APPLICATIONS & PATENTS ONLY

TO THE ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS:
SIR: PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPY THEREOF.

1. NAME OF CONVEYING PARTY(IES) (ASSIGNORS(S)):

1. Yoshiaki FUKUDA
3. Toshihiro NAKANISHI
5.
7.

2. Kazuhiro NAGAGIRA
4.
6.
8.

ADDITIONAL NAME(S) OF CONVEYING PARTY(IES) ATTACHED? YES NO

2. PARTY(IES) (ASSIGNEE(S)) RECEIVING INTEREST:

NAME: SUNTORY LIMITED

ADDRESS: 1-40, Dojimahama 2-chome, Kita-ku, Osaka-shi, Osaka 530-8203 Japan

ADDITIONAL NAME(S) & ADDRESS(ES) ATTACHED? YES NO

3. NATURE OF CONVEYANCE (DOCUMENT):

(Submit herewith only one document for recordation—multiple copies of same Assignment signed by different inventors is one document)

ASSIGNMENT OF WHOLE PART INTEREST
 ORIGINAL FACSIMILE/PHOTOCOPY
 CHANGE OF NAME VERIFIED TRANSLATION
 SECURITY MERGER OTHER:

EXEC. DATE: December 14, 2001

EXECUTION DATE(S) ON THE DECLARATION IF FILED HEREWITH: (NOTE: IF DATES ON DECLARATION AND ASSIGNMENT DIFFER SEE ATTY!)

4.5 APPL. NO.(S) OR PAT NO.(S). OTHERS ON ADDITIONAL SHEET(S) attached? YES NO

A. PAT. APP. NO.(S) series code/serial no	M#	1 st INVENTOR if not in item 1	B. PATENT NO(S)	M#	1 st INVENTOR if not in item 1
10/018,245	46224				

5. Name & Address of Party to Whom Correspondence Concerning Document Should be Mailed:

Paul E. White, Jr.
Manelli Denison & Selter PLLC
2000 M Street, N.W., Suite 700
Washington, D.C. 20036

6. NUMBER INVOLVED:
APPLNS 1 + PATS 0 = TOTAL 1

7. AMOUNT OF FEE ENCLOSED: (Code 581)
ABOVE TOTAL x \$40 = \$40

5.5 ATTY DKT:

46224 CH:HE PC/S-38-261US

8. IF ABOVE FEE IS MISSING OR INADEQUATE CHARGE
INSUFFICIENCY TO DEPOSIT ACCOUNT NUMBER: 50-0687

UNDER ORDER NO 46224

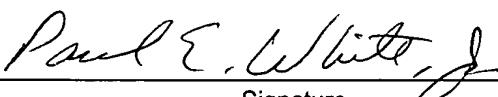
dup. sheet not required CLIENT NO. MATTER NO.

04/17/2002 UEDUVIJE 00000037 10018245

01 FU:581 40.00 0P

9. STATEMENT AND SIGNATURE.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.



Signature

Attorney: Paul E. White, Jr.

Reg. No. 32,011

Atty/Sec: / TEL: 202-261-1050

10. Total number of pages including this cover sheet, attachments and document (do not file dup. Cover sheet)

2

Date: April 11, 2002

FAX: 202-887-0336

FILE WITH PTO RETURN RECEIPT (PAT-103A)

Please return signed/recorded to:

Manelli Denison & Selter, PLLC
2000 M Street, N.W., 7th Floor
Washington, DC 20036-0336

U.S. Appl. No. 10/018,245
Filed December 18, 2001

USA Patent Appln.
Sole or Joint

For Inventions made outside USA
executed with or after application

Atty. Dkt. P

M#

Client Ref.

NONPROVISIONAL

**ASSIGNMENT
OF NONPROVISIONAL APPLICATION**

NONPROVISIONAL

In consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid to each of the undersigned, to wit:

INSERT
NAME(S) OF
INVENTOR(S)

(1) Yoshiaki FUKUDA	(2) Kazuhiro NAGAHIRA
(3) Toshihiro NAKANISHI	(4)
(5)	<input type="checkbox"/> x box if continued on page 2

the receipt and sufficiency of which are hereby acknowledged by the undersigned who at the request of, hereby sell(s), assign(s) and transfer(s) unto:

INSERT
NAME(S) OF
ASSESSOR(S)
& ADDRESS(ES)

SUNTORY LIMITED of 1-40, Dojimahama 2-chome, Kita-ku,
Osaka-shi, Osaka 530-8203 Japan

(hereinafter designated "ASSESSOR") the entire right, title and interest for the United States of America as defined in 35 U.S.C. 100, in the invention and all applications including any and all divisions, continuations, substitutes, and reissues thereof; and all resulting patents, known as

TITLE OF
INVENTION

NOVEL RECOMBINANT ANTIBODY, AMINO ACID SEQUENCES OF ITS COMPLEMENTARITY
DETERMINING REGIONS AND GENES ENCODING THE SAME

for which the undersigned executed an application for Letters Patents of the United States of America:

NOTE → →

(Complete

line A, B and/or C)

(A) even date herewith

(B) on _____

(C) in U.S. Appln. No. _____ / _____ filed _____

AND the undersigned hereby authorize(s) and request(s) the United States Commissioner of Patents and Trademarks to issue said Letters Patent to the said ASSESSOR, for its interest as ASSESSOR, its successors, assigns and legal representatives; the undersigned agree(s) that the attorney of record in said application shall hereinafter act on behalf of said ASSESSOR;

AND the undersigned hereby agree(s) to testify and execute any papers for ASSESSOR, its successors, assigns and legal representatives, deemed essential by ASSESSOR to ASSESSOR'S full protection and title in and to the invention hereby transferred.
NOTE → → The undersigned hereby authorize(s) Manelli Denison & Selter PLLC of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

INVENTORS

1): Yoshiaki Fukuda
Name: Yoshiaki FUKUDA
2): Kazuhiro Nagahira
Name: Kazuhiro NAGAHIRA
3): Toshihiro Nakani
Name: Toshihiro NAKANISHI
4) Name:
Name:
5) Name:
Name:

DATE SIGNED

December 14, 2001

December 14, 2001

December 14, 2001

WITNESSES